IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 770 OF 2007

Heeralal G. Darda ... Petitioners

Versus

Mumbai Metropolitan Regional Development Authority and others ...Respondents

Mr. S.G. Gavnekar, instructed by Mr. Sunil Singh, for the petitioners.
Mrs. P.A. Purandare for respondent No.2.
Mr. S.P. Srivastava for the intervenor.

CORAM: **SWATANTER KUMAR, C.J.** & **S.C. DHARMADHIKARI, J.**

DATE: **APRIL 23, 2007**.

P.C.

Having heard the learned counsel appearing for the parties and with their consent, we dispose of this petition with the following directions.

(i) The letter of allotment dated 17th March, 2007, shall not be given a final effect to the extent that entitlement and possession in furtherance thereto shall not be awarded to the petitioner for a period of four weeks, by the Deputy Collector (R & R).

(ii) The Corporation shall hear the petitioner as well as Helen D'Souza, the alleged owner of the property, and pass the order

within four weeks from today and communicate the said order to the Dy. Collector (R &R), who in turn would proceed in accordance with law thereafter. We make it clear that the Assistant Commissioner, “S” Ward, shall ensure compliance of this order.

2. Writ Petition is disposed of with the above directions, while leaving the parties to bear their own costs.

CHIEF JUSTICE

S.C. DHARMADHIKARI, J.